

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA
FOURTH DIVISION**

ARRIVAL STAR, INC., a foreign)	
corporation,)	
)	
Plaintiff,)	Civil Action No.: 04-CV-907 JNE/JGL
)	
)	
v.)	
)	
NORTHWEST AIRLINES, INC.,)	
a domestic corporation,)	
)	
Defendants.)	

JOINT CLAIM CONSTRUCTION STATEMENT OF THE PARTIES

The '260 Patent	Arrival Star Proposed Claim Construction	Northwest's Proposed Claim Construction
<p>1. A method for an advance notification system, the method for allowing a passenger to define a preset notification time period when the passenger is to receive a telephone call prior to arrival of a vehicle at a vehicle stop to thereby indicate impending arrival, the advance notification system comprising</p>	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>A plain reading of the claim language reveals that claim 1 covers a method, not an advanced notification system. More specifically, Arrival star maintains that this claim encompasses any method, without limitation, for performing the stated function. Since any positive <i>structural</i> limitations are necessarily directed to the advanced notification system and not the claimed method, Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows:</p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>advance</i> means making, sending, or furnishing ahead of time.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>allowing</i> means to permit or to forbear or neglect to restrain or prevent.</p> <p><i>passenger</i> means a traveler in a public or private conveyance</p> <p><i>define</i> means to fix or mark the limits of.</p> <p><i>preset notification time period</i> means a time period fixed in advance for notification.</p> <p><i>receive</i> means to come into possession of</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>advance notification system</i> means a system for supplying an announcement of the time and location of an impending arrival.</p> <p><i>impending arrival</i> means a stop at a final destination about to occur in the near future.</p> <p><i>preset notification time period</i> means portions of time fixed in advance for sending informational messages including geographic position and time.</p>

	<p><i>Telephone call</i> means communication via an instrument for reproducing sounds at a distance; one which changes speech into electrical signals for transmission</p> <p><i>prior to</i> means in advance of.</p> <p><i>arrival</i> means reaching a destination.</p> <p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey</p> <p><i>indicate</i> means being a sign, symptom, or index of.</p> <p><i>impending</i> means to be about to occur.</p>	
(a) a passenger telephone associated with said passenger,	<p><i>The parties disagree as to the following term/phrase(s).</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>Passenger</i> means a traveler in a public or private conveyance</p> <p><i>Telephone</i> means an instrument for reproducing sounds at a distance; one which changes speech into electrical signals for transmission</p> <p><i>passenger telephone</i> means a telephone at one or more passenger locations or student homes</p>	<p><i>passenger telephone</i> means an instrument installed in a public conveyance for use by travelers in said conveyance for converting sound into electrical impulses for transmission over a wire.</p>
(b) system control for monitoring travel of said vehicle in relation to the vehicle stop, and	<p><i>The parties disagree as to the following term/phrase(s).</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p> <p><i>monitoring</i> means observing, supervising and/or keeping track of.</p> <p><i>travel</i> means movement or passage from one place to another</p>	<p><i>system control for monitoring travel</i> means a set of functions and programs for maintaining the integrity of the system and for recording geographic position and time data</p>

	<p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>control</i> means a reusable software component in Visual Basic, ActiveX, or a similar system.</p> <p><i>system control for monitoring travel</i> refers to a group of interacting, interrelated, or interdependent software elements for observing, supervising, keeping track of the movement of a vehicle from one place to another.</p>	
(c) a system telephone interface for establishing a telephone connection between said system control and said passenger telephone when said vehicle is at a location that corresponds with the preset notification time period from said vehicle stop, the method comprising the steps of:	<p><i>The parties agree to the following constructions:</i></p> <p><i>preset notification time period</i> means a time period fixed in advance for notification.</p>	
	<p><i>The parties disagree as to the following term/phrase(s).</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>Telephone</i> means an instrument for reproducing sounds at a distance; one which changes speech into electrical signals for transmission</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>Interface</i> means the connection between two systems through which information is exchanged. For example, in software, it is a standard format for exchanging data,</p> <p><i>system telephone interface</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole, between which there is a connection through which information is exchanged, said information flowing between the system control and the passenger telephone.</p>	<p><i>system telephone interface</i> means hardware linking a telephone to a telephone peripheral for the purpose of communication.</p>
(a) permitting said passenger to define said preset notification time period by the following steps:	<p><i>The parties agree to the following constructions:</i></p> <p><i>preset notification time period</i> means a time period fixed in advance for notification.</p> <p><i>period</i> means a portion of time</p>	

	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>permitting</i> means to make possible</p> <p><i>The parties disagree as to the following term/phrase(s).</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p> <p><i>notification</i> means an informational message including geographic position and time data.</p>
(1) establishing a telephone communication link with said system telephone interface; and	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Establishing</i> means to bring into existence</p> <p><i>communication</i> means the flow of information from one point, known as the source, to another, the receiver.</p> <p><i>Link</i> means a channel or circuit such as, a logical pathway from point A to B.</p> <p><i>The parties disagree as to the following term/phrase(s).</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>Telephone</i> means an instrument for reproducing sounds at a distance; one which changes speech into electrical signals for transmission</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>Interface</i> means the connection between two systems through which information is exchanged. For example, in software, it is a standard format for exchanging data,</p> <p><i>system telephone interface</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole, between which there is a connection through which information is exchanged, said information flowing between the system control and the passenger telephone.</p> <p><i>system telephone interface</i> means hardware linking a telephone to a telephone peripheral for the purpose of communication.</p>
(2) providing said preset notification time period to said system control during said telephone communication link.	<p><i>The parties agree to the following constructions:</i></p> <p><i>preset notification time period</i> means a time period fixed in advance for notification.</p>

	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>providing</i> means to furnish, supply or make available</p>	
	<p><i>The parties disagree as to the following term/phrase(s).</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p>	<p><i>notification</i> means an informational message including geographic position and time data.</p>

The '801 Patent	Arrival Star Proposed Claim Construction	Northwest's Proposed Claim Construction
<p>11. An apparatus for use in connection with an advance notification system, the advanced notification system for providing notice to a party of an impending arrival of a mobile vehicle at a stop along a predetermined route, comprising:</p>	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows: These terms should be given their plan and ordinary meaning.</p> <p><i>apparatus</i> means a set of materials or equipment designed for a particular use.</p> <p><i>in connection with</i> means having a relationship to.</p> <p><i>advance</i> means making, sending, or furnishing ahead of time.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>providing</i> means to furnish, supply or make available</p> <p><i>notice</i> means a signal from an operating system that an event has occurred.</p> <p><i>party</i> means a person or group participating in an action or affair.</p> <p><i>impending</i> means about to occur.</p> <p><i>arrival</i> means reaching a destination.</p> <p><i>mobile</i> means capable of moving or being moved readily from place to place</p> <p><i>vehicle</i> means device or structure for</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>advance notification system</i> means a system for supplying an announcement of the time and location of an impending arrival.</p> <p><i>impending arrival</i> means a stop at a final destination about to occur in the near future.</p> <p><i>providing notice</i> means supplying an announcement containing the time and geographic location of.</p> <p><i>predetermined route</i> means a fixed path of travel set in advance.</p>

	<p>transporting persons or things.</p> <p><i>mobile vehicle</i> is for example, any movable object or thing, including but not limited to an automobile, an airplane, a train, a boat, a human being, an animal, or any other thing capable of moving across or through the Earth's surface and/or atmosphere.</p> <p><i>stop</i> means a stopping place for a vehicle</p> <p><i>Predetermined</i> means to determine beforehand.</p> <p><i>route</i> means a traveled way.</p>	
a communications device;	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>Communications</i> means transmissions, exchanges of messages or information by speech or signals from one point to another.</p> <p><i>Device</i> means a mechanism or piece of equipment designed to serve a purpose or perform a function</p> <p><i>Communications device</i> means any piece of equipment that can exchange messages or information, whether speech or data communications are involved</p>	<p><i>communications device</i> means equipment for transmitting and receiving data over a cellular network.</p>
<p>a base station manager electrically coupled to said communications device, said base station manager configured to determine a proximity of said mobile vehicle based on a status message transmitted from said mobile vehicle and received by said communications device, said base station manager configured to automatically transmit a notification to said party in response to a determination that said mobile vehicle is a predetermined proximity from said stop, said base station manager configured to determine a proximity of said vehicle based on said predefined schedule, said base station manager being remotely located from said party; and</p>	<p><i>The parties have agreed to the following construction:</i></p> <p><i>configured to automatically transmit</i> means set up to send without human intervention.</p> <p><i>electrically coupled</i> means electrically connected or linked to permit transfer of energy from one circuit to another.</p> <p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Determine</i> means to establish or ascertain definitely</p> <p><i>Predetermined</i> means to fix conclusively or authoritatively beforehand</p> <p><i>Located</i> means placed at a certain location</p>	

	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>base station</i> means the fixed device a mobile radio transceiver talks to in order to reach a person or landline phone network.</p> <p><i>Manager</i> means any program that is designed to perform a certain set of tasks related to computer operation.</p> <p><i>Base station manager</i> is a fixed device capable of receiving and transmitting data to communications devices and external users and designed to perform a certain set of tasks related to computer operation.</p> <p><i>Proximity</i> means state, quality, sense, or fact of being near or next; closeness.</p> <p><i>Based on</i> means having as a basis for, established upon</p> <p><i>Status</i> means the condition at a particular time used to report on or control operations</p> <p><i>Message</i> means a communication in which exchange of information takes place</p> <p><i>status message</i> means a communication in which the exchange of information relating to the condition at a particular time takes place</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p>	<p><i>base station manager</i> means a fixed device with memory capable of receiving and transmitting data to cellular communications devices as well as external users over a cellular network.</p> <p><i>proximity from/proximity of</i> means a geographic distance from a specific location.</p> <p><i>status message</i> means an electronic informational message including geographic position and corresponding time values.</p> <p><i>notification</i> means an informational message including geographic position and time data.</p> <p><i>based on</i> means supported by and founded exclusively on</p>
a storage device for storing a predefined schedule, said predefined schedule defining locations along said predetermined route and indicating when said vehicle is scheduled to pass each said location defined in said predefined schedule	<p><i>The parties have agreed to the following construction:</i></p> <p><i>storage device</i> – a device used to record and store data</p> <p><i>predefined schedule, said predefined schedule defining locations along said predetermined route and indicating when said vehicle is scheduled to pass each said location defined in said predefined schedule</i> – a fixed timetable set in advance of intended travel providing the geographic position and corresponding planned arrival time at every geographic position throughout the established path of travel</p>	
12. The apparatus of claim 11, wherein said base station manager is further configured to determine whether said communications device has received a status message from	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Further</i> means in addition</p>	

<p>said mobile vehicle within a predetermined time period, said status message indicating that said vehicle is off schedule relative to said predefined schedule.</p>	<p><i>Determine</i> means to establish or ascertain definitely</p> <p><i>Message</i> means a communication in which exchange of information takes place</p> <p><i>mobile</i> means capable of moving or being moved readily from place to place</p> <p><i>period</i> means a portion of time</p> <p><i>Indicating</i> means to point out or point to</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>off schedule relative to said predefined schedule</i> means to be off or removed from a given ordered list of time at which events were planned to occur.</p> <p><i>Off</i> means removed from a given course or route</p> <p><i>Schedule</i> means an ordered list of times at which events are planned to occur</p> <p><i>Relative</i> means with regard to</p> <p><i>Predefined</i> means to be fixed or marked out prior to current.</p>	<p><i>off schedule relative to said predefined schedule</i> means the difference between the actual time traveled and the planned time traveled is greater than some discrete amount of time fixed in advanced.</p>

The '927 Patent	Arrival Star's Proposed Claim Construction	Northwest's Proposed Claim Construction
21. A method for a notification system, comprising:	The parties agree that this is general preamble language, which does not breathe life into the claim. Accordingly, this language is not a claim limitation	
enabling one or more communications methods to be defined for receiving notifications relating to travel of a mobile thing;	<i>The parties have agreed to the following construction:</i> <i>communications methods</i> are processes for transmitting and receiving data.	
	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Defined</i> means to determine or identify the essential qualities or meaning of <i>Receiving</i> means come into possession of <i>relating</i> means to have relationship or connection <i>travel</i> means movement or passage from one place to another	
	<i>The parties disagree as to the following term/phrase(s):</i> These terms should be given their plan and ordinary meaning. <i>Enabling</i> means to provide with the means or opportunity to cause to operate some thing <i>notification</i> means a signal from an operating system that an event has or is about to occur.	<i>enabling</i> means to cause to operate fully and independently. <i>notifications relating to travel</i> means informational messages including geographic position and time data of a moving object.
enabling one or more preset time periods to be associated with each of the communications methods;	<i>The parties have agreed to the following construction:</i> <i>present time periods</i> means portions of time fixed in advance. <i>communications methods</i> are processes for transmitting and receiving data.	
	<i>The parties disagree as to the following term/phrase(s):</i> These terms should be given their plan and ordinary meaning. <i>Enabling</i> means to provide with the means or opportunity to cause to operate some thing	<i>enabling</i> means to cause to operate fully and independently.
monitoring travel data associated with the mobile thing;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>mobile thing</i> would logically refer to something that moves	

	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>monitoring</i> means observing, supervising or keeping track of</p> <p><i>travel</i> means movement or passage from one place to another</p> <p><i>data</i> means information</p> <p><i>monitoring travel data</i> means observing, supervising or keeping track of the information related to the movement or passage from one place to another</p>	<p><i>monitoring travel data</i> means recording and keeping track of information related to movement.</p>
determining that a notification should be made, based upon the travel data and a stop location;	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>determining</i> means to establish or ascertain definitely</p> <p><i>made</i> means to cause to happen or to exist, occur, or appear</p> <p><i>travel</i> means movement or passage from one place to another</p> <p><i>data</i> is commonly used to refer to information</p> <p><i>stop</i> means a halt in a journey; stay; a stopping place</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p> <p><i>based upon</i> means having as a basis for, established upon</p>	<p><i>notification</i> means an informational message including geographic position and time data.</p> <p><i>based upon</i> means supported by and founded exclusively on</p>
selecting one or more communication methods based upon a time value and the time periods associated with the communications methods; and	<p><i>The parties have agreed to the following construction:</i></p> <p><i>communications methods</i> are processes for transmitting and receiving data.</p>	
	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>time</i> means the measured or measurable period during which an action, process, or condition exists or continues</p> <p><i>Value</i> - a numerical quantity that is assigned or is determined by calculation or measurement</p> <p><i>time value</i> means a measurable period during which an action process or condition exists or continues which has been assigned a numerical quantity</p> <p><i>period</i> means a portion of time</p>	

	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>selecting</i> means choosing from a number or group</p> <p><i>based upon</i> means having as a basis for, established upon</p>	<p><i>selecting based upon a time value and the time periods</i> means to choose from a larger group established by a discrete unit of time and a recurring portion of time.</p> <p><i>based upon</i> means supported by and founded exclusively on</p>
causing one or more notifications to be initiated using the selected communications methods.	<p><i>The parties have agreed to the following construction:</i></p> <p><i>communications methods</i> are processes for transmitting and receiving data.</p>	
	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>causing</i> means producing, bringing about, bringing into existence.</p> <p><i>selected</i> means to be chosen from a number or group; pick out</p> <p><i>to be initiated</i> means to be set going</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p>	<p><i>notification</i> means an informational message including geographic position and time data.</p>

The '320 Patent	Arrival Star's Proposed Claim Construction	Northwest's Proposed Claim Construction
<p>11. An advance notification system for notifying a user of an impending arrival of a vehicle at a vehicle stop and for permitting a user to solicit a vehicle progress report relating to said vehicle, comprising:</p>	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows:</p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>advance</i> means making, sending, or furnishing ahead of time.</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>advance notification system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole for the purpose of providing a signal that an event is going to occur.</p> <p><i>user</i> means one that uses</p> <p><i>impending</i> means about to occur.</p> <p><i>arrival</i> means reaching a destination.</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey</p> <p><i>permitting</i> means to make possible</p> <p><i>solicit</i> means to petition, entreat, request or plea</p> <p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>advance notification system</i> means a system for supplying an announcement of the time and location of an impending arrival.</p> <p><i>impending arrival</i> means a stop at a final destination about to occur in the near future.</p> <p><i>notifying</i> means supplying an announcement containing the time and geographic location of.</p> <p><i>permitting a user to solicit</i> means authorizing a user to interface with and request.</p> <p><i>vehicle progress report</i> means a complete timetable of actual travel progress including geographic positions and corresponding time values of a public conveyance.</p>

	<p><i>Progress</i> means movement, as toward a goal; advance</p> <p><i>Report</i> means an account or summation of something for broadcast</p> <p><i>vehicle progress report</i> means an account or summation of the movement of a device or structure for transporting persons or things.</p> <p><i>relating</i>: having a connection or relationship</p>	
a user communications device associated with said user;	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>user</i> means one that uses</p> <p><i>Communications</i> means transmissions, exchanges of messages or information by speech or signals from one point to another.</p> <p><i>Device</i> means a mechanism or piece of equipment designed to serve a purpose or perform a function</p> <p><i>User Communications device</i> means any piece of equipment that can exchange messages or information, whether speech or data communications are involved which is intended for personal use</p> <p><i>user communications device associated with said user</i> means a piece of equipment used for communications that is owned or operated by a person, such as a customer computer, a customer's business or home telephone, a customer's mobile phone, a customer's wireless pager, and the like.</p>	<p><i>a user communications device</i> means a piece of equipment belonging to a user and capable of transmitting and receiving data over a cellular network.</p>
a computer system for monitoring travel of said vehicle in relation to said vehicle stop;	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Computer</i> means a device capable of solving problems or manipulating data by accepting data, performing prescribed operations (mathematical or logical) on the data, and supplying the results of these operations</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>travel</i> means movement or passage from one place to another</p>	

	<p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p>	
<p>a system communications device in communication with said computer system, said system communications device for communicating with said user communications device at a time before said vehicle reaches said vehicle stop; and</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey.</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components</p> <p><i>Communications</i> means transmissions, exchanges of messages or information by speech or signals from one point to another.</p> <p><i>Device</i> means a mechanism or piece of equipment designed to serve a purpose or perform a function</p> <p><i>Communications device</i> means any piece of equipment that can exchange messages or information, whether speech or data communications are involved</p>	<p><i>system communications device</i> means a piece of equipment integrated within a central host and capable of transmitting and receiving data over a cellular network.</p>

<p>vehicle progress report generator associated with said computer system for permitting said user to solicit a vehicle progress report relating to said vehicle by providing said vehicle progress report from said computer system to said user communications device during a communication link between said user and said system communications device.</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p> <p><i>Report</i> means an account or summation of something for broadcast</p> <p><i>Computer</i> means a device capable of solving problems or manipulating data by accepting data, performing prescribed operations (mathematical or logical) on the data, and supplying the results of these operations</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>permitting</i> means to make possible</p> <p><i>solicit</i> means to request</p> <p><i>providing</i> means to furnish or supply</p> <p><i>Communications</i> means transmissions, exchanges of messages or information by speech or signals from one point to another</p> <p><i>Link</i> means a connection or pathway for facilitating communication between two points</p> <p><i>between</i> means jointly engaging</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>Generator</i> means a program that produces specific programs from the definition of an operation.</p> <p><i>vehicle progress report generator</i> refers to any device that is capable of creating a report regarding how a vehicle is progressing along its route.</p>	<p><i>generator</i> means a machine or hardware device capable of creation.</p>
<p>16. The system of claim 11, wherein the computer system monitors travel of said vehicle by reviewing data pertaining to travel status of said vehicle.</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Travel</i> – see above</p> <p><i>Vehicle</i> – see above</p>	

17. The system of claim 11, wherein the user communications device is a computer, television, pager, or telephone.	<i>The parties agree that the claim terms should be given their plain and ordinary meanings.</i>
18. The system of claim 11, wherein the communication link is established, at least in part, over the Internet.	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Communications</i> means transmissions, exchanges of messages or information by speech or signals from one point to another <i>Link</i> means a connection or pathway for facilitating communication between two points <i>Internet</i> means an interconnected system of networks that connects computers around the world via the TCP/IP protocol.
19. The system of claim 11, wherein said vehicle progress report is provided in an email.	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>email</i> means a message sent by a system for sending and receiving messages electronically over a computer network
20. The system of claim 11, wherein said vehicle progress report indicates a proximity of said vehicle in relation to said stop location.	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>proximity</i> means the state, quality, sense, or fact of being near or next; closeness

The '318 Patent	Arrival Star's Proposed Claim Construction	Northwest's Proposed Claim Construction
<p>1. A method for notifying a user in advance of an impending arrival of a vehicle at a vehicle stop, the method implemented by an automated notification system, the method comprising the steps of:</p>	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>Arrival Star points out that this claim covers a method comprising a specific set of actions. No physical structures are claimed herein. Since physical structural limitations necessarily relate only to unclaimed physical structures employed to carry out the claimed method, and not to the claimed steps for performing the method, Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows:</p> <p><i>method</i> means a way, technique, or process of or for doing something.</p> <p><i>notifying</i> means a signal from an operating system signifying that an event has occurred.</p> <p><i>user</i> means one that uses</p> <p><i>in advance</i> means making, sending, or furnishing ahead of time.</p> <p><i>impending</i> means to be about to occur</p> <p><i>arrival</i> means to reach a destination</p> <p><i>vehicle</i> means a device or structure for transporting persons or things</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey.</p> <p><i>implemented</i> means carried out</p> <p><i>automated</i> means operating automatically</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>automated notification system</i> means a system for supplying an announcement of the time and location of an impending arrival requiring no human intervention.</p> <p><i>impending arrival</i> means a stop at a final destination about to occur in the near future.</p> <p><i>notifying</i> means supplying an announcement containing the time and geographic location of.</p>

	electrical components.	
monitoring travel data corresponding to a vehicle at a computer system; and	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>travel</i> means movement or passage from one place to another</p> <p><i>data</i> is commonly used to refer to information</p> <p><i>Corresponding</i> means to be in conformity or agreement; to compare closely; to be equivalent or parallel</p> <p><i>vehicle</i> means for device or structure for transporting persons or things; example but not limited to a bus, train, plane, fishing vessel, or other vessel</p> <p><i>Computer</i> means a device capable of solving problems or manipulating data by accepting data, performing prescribed operations (mathematical or logical) on the data, and supplying the results of these operations</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p>	
based upon the travel data and in advance of the vehicle's arrival at the vehicle stop, communicating a message from the computer system to a remote, portable, computer-based, personal, communications device transported by the user and that is remote from the vehicle stop to indicate impending arrival of the vehicle at the vehicle stop.	<p><i>The parties have agreed to the following construction:</i></p> <p><i>remote, portable, computer-based, personal, communications device</i> means a piece of equipment, capable of being carried or moved about, external to the system for use by an individual user capable of transmitting and receiving data and containing a microprocessor.</p>	
	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>travel</i> – see above</p> <p><i>data</i> - see above</p> <p><i>vehicle</i> – see above</p> <p><i>arrival</i> means to reach a destination</p> <p><i>communication</i> means transmissions, exchanges of messages or information by speech or signals from one point to another</p> <p><i>Message</i> means any communication from one object to another in which exchange of information takes place</p> <p><i>Computer</i> – see above</p> <p><i>system</i> – see above</p> <p><i>transported</i> means transferred or conveyed from one place to another</p> <p><i>user</i> means one that uses</p> <p><i>remote</i> means not in the immediate vicinity and accessible through some type of cable or communications link.</p> <p><i>indicate</i> means to point out or point to</p> <p><i>impending</i> means to be about to occur</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey.</p>	

2. The method of claim 1, wherein the message is communicated over the Internet to the communications device.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>message</i> – see above</p> <p><i>communicated</i> – see above</p> <p><i>Internet</i> means An interconnected system of networks that connects computers around the world via the TCP/IP protocol.</p> <p><i>communications device</i> – see above</p>
3. The method of claim 2, wherein the message is an email that is communicated, at least in part, over the Internet.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>message</i> – see above</p> <p><i>email</i> means a message sent by a system for sending and receiving messages electronically over a computer network</p> <p><i>communicated</i> – see above</p> <p><i>Internet</i> – see above</p>
4. The method of claim 1, further comprising the steps of receiving an email address, storing the email address, and communicating the message to the stored email address	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Receiving</i> means to come into possession of</p> <p><i>Storing</i> means placing data into a device in which it can be retained and from which it can be retrieved</p> <p><i>Communicating</i> means to send transmissions, exchanges of messages or information by speech or signals from one point to another</p> <p><i>message</i> – see above</p>
5. The method of claim 1, wherein the travel data comprises scheduled stop information.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>travel</i> – see above</p> <p><i>data</i> – see above</p> <p><i>Scheduled</i> means to place in a schedule or designate for a fixed time</p> <p><i>stop</i> means to cease moving, progressing, acting, or operating; come to a halt</p> <p><i>information</i> means knowledge of a specific event or situation; intelligence or news.</p>
8. The method of claim 1, wherein the travel data is timing information.	<p><i>The parties agree that the following claim terms should be given their plain and ordinary meanings:</i></p> <p><i>travel</i> – see above</p> <p><i>data</i> – see above</p> <p><i>timing</i> means the art or operation of regulating occurrence, pace, or coordination to achieve the most desirable effects</p> <p><i>information</i> – see above</p>
11. The method of claim 1, wherein the vehicle is a plane, train, boat, or motor vehicle.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p>

	Terms defined above have the same meaning in this claim.
12. The method of claim 1, wherein the communications device is a computer, television, pager, or telephone.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>
13. The method of claim 1, wherein the computer system is a single computer or comprises a distributed architecture comprising a plurality of computers that are communicatively coupled.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Computer</i> – see above</p> <p><i>system</i> – see above</p> <p><i>distributed</i> means to be spread or diffuse over an area.</p> <p><i>architecture</i> means the overall design or structure of a computer system</p> <p><i>communicatively</i> means of or relating to the flow of information from one point, known as the source, to another, the receiver.</p> <p><i>coupled</i> means to link two electric circuits into such close proximity as to permit mutual influence</p>
14. The method of claim 1, wherein the message comprises a description of travel status of the vehicle.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>message</i> – see above</p> <p><i>description</i> means a statement or an account characterizing something</p> <p><i>travel</i> – see above</p> <p><i>status</i> means the condition at a particular time used to report on or control operations</p> <p><i>vehicle</i> means a device or structure for transporting persons or things.</p>
15. The method of claim 1, wherein the message comprises an audible sound.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>message</i> – see above</p> <p><i>audible</i> means something that is heard or that can be heard</p> <p><i>sound</i> means a sensation stimulated in the organs of hearing by such vibrations in the air or other medium</p>
16. The method of claim 1, wherein the message comprises text or an image for display on a screen associated with the communications device.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>message</i> – see above</p> <p><i>display</i> means to provide information or graphics on a screen</p> <p><i>screen</i> means the phosphorescent surface on which an image is displayed, as on a television or computer monitor.</p> <p><i>communications device</i> – see above</p>
17. The method of claim 1, further comprising the steps of permitting a party to establish a communication session with the computer system and permitting the party to define one or more preferences criteria that, once	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>permitting</i> means to make possible</p> <p><i>establish</i> means to bring into existence</p>

met, will cause initiation of the communication of the message.	<p><i>Communication</i> means the transmission or flows of information from one point to another</p> <p><i>session</i> means a period of time devoted to a specific activity</p> <p><i>computer system</i> – see above</p> <p><i>define</i> means to determine or identify the essential qualities or meaning of</p> <p><i>preferences</i> means something so chosen</p> <p><i>criteria</i> means a standard, rule or test on which a judgment or decision can be based</p> <p><i>initiation</i> means the condition of being set going by taking the first step</p> <p><i>message</i> – see above</p>	
18. The method of claim 1, wherein the vehicle has a scheduled route of a plurality of vehicle stops and wherein the communication of the message is initiated based upon the vehicle's progress along the stops of the route.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>vehicle</i> – see above</p> <p><i>Scheduled</i> means to place in a schedule for a fixed time</p> <p><i>route</i> means an established or selected course of travel</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey</p>	
23. The method of claim 1 wherein the message indicates that the vehicle is delayed and thus will not arrive at a predetermined scheduled arrival time.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>vehicle</i> – see above</p> <p><i>predetermined</i> means to determine, decide or establish in advance.</p> <p><i>scheduled</i> – see above</p>	
24. A method for notifying a user in advance of an impending arrival of a vehicle at a vehicle stop, the method implemented by an automated notification system, the method comprising the steps of:	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>Arrival Star points out that this claim covers a method comprising a specific set of actions. No physical structures are claimed herein. Since physical structural limitations necessarily relate only to unclaimed physical structures employed to carry out the claimed method, and not to the claimed steps for performing the method, Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows:</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>automated notification system</i> means a system for supplying an announcement of the time and location of an impending arrival requiring no human intervention.</p> <p><i>impending arrival</i> means a stop at a final destination about to occur in the near future.</p> <p><i>notifying</i> means supplying an announcement containing the time and geographic location of.</p>

	<p><i>method</i> means a way, technique, or process of or for doing something.</p> <p><i>notifying</i> means a signal from an operating system signifying that an event has occurred.</p> <p><i>user</i> means one that uses</p> <p><i>in advance</i> means making, sending, or furnishing ahead of time.</p> <p><i>impending</i> means to be about to occur</p> <p><i>arrival</i> means to reach a destination</p> <p><i>vehicle</i> means a device or structure for transporting persons or things</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey.</p> <p><i>implemented</i> means carried out</p> <p><i>automated</i> means operating automatically</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p>	
monitoring travel data corresponding to a vehicle at a computer system; and	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p> <p><i>Corresponding</i> means to be in conformity or agreement; to compare closely; to be equivalent or parallel</p> <p><i>vehicle</i> means a device or structure for transporting persons or things</p> <p><i>Computer</i> – see above</p> <p><i>system</i> – see above</p>	

	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plain and ordinary meaning.</p> <p><i>monitoring</i> – observing, supervising, keeping track of</p> <p><i>travel</i> – movement or passage from one place to another</p> <p><i>data</i> - commonly used to refer to information</p> <p><i>monitoring travel data</i> – observing, supervising or keeping track of the information related to the movement or passage from one place to another</p> <p><i>monitoring travel data</i> means recording and keeping track of information related to movement.</p>
<p>based upon the travel data and in advance of the vehicle's arrival at the vehicle stop, communicating a message from the computer system to a plurality of remote personal communications devices transported by a plurality of users to indicate impending arrival of the vehicle at the vehicle stop, the plurality of remote personal communications devices residing at different locations that are remote from the vehicle stop.</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>vehicle stop means a place at which a vehicle interrupts its course or journey</p> <p><i>communicating</i> – see above</p> <p><i>message</i> – see above</p> <p><i>indicate</i> means to point out or point to</p> <p><i>impending</i> means to be about to occur</p> <p><i>arrival</i> means to reach a destination</p> <p><i>residing</i> means to live in a place permanently or for a long time</p>

	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p><i>remote</i> means not in the immediate vicinity and accessible through some type of cable or communications link</p> <p><i>personal</i> means of, relating to, or constituting personal property</p> <p><i>Communications</i> means transmissions, exchanges of messages or information by speech or signals from one point to another.</p> <p><i>Device</i> means a mechanism or piece of equipment designed to serve a purpose or perform a function</p> <p><i>Communications device</i> means any piece of equipment that can exchange messages or information, whether speech or data communications are involved</p>	<p><i>remote personal communications devices</i> means equipment external to the system for use by individual users capable of transmitting and receiving data over a cellular network.</p>
25. The method of claim 24, wherein the message is communicated over the Internet to the communications device.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
26. The method of claim 25, wherein the message is an email that is communicated, at least in part, over the Internet.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
27. The method of claim 24, further comprising the steps of receiving an email address, storing the email address, and communicating the message to the stored email address.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
28. The method of claim 24, wherein the travel data comprises scheduled stop information.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
34. The method of claim 24, wherein the vehicle is a plane, train, boat, or motor vehicle.	<p><i>The parties agree that the following claim terms should be given their plain and ordinary meanings:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
35. The method of claim 24, wherein the communications device is a computer, television, pager, or telephone.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
36. The method of claim 24, wherein the computer system is a single computer or comprises a distributed architecture comprising a plurality of computers that are communicatively coupled.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
37. The method of claim 24, wherein the message comprises a description	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p>	

of travel status of the vehicle.	Terms defined above have the same meaning in this claim.	
38. The method of claim 24, wherein the message comprises an audible sound.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
39. The method of claim 24, wherein the message comprises text or an image for display on a screen associated with the communications device.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
40. The method of claim 24, further comprising the steps of permitting a party to establish a communication session with the computer system and permitting the party to define one or more preferences criteria that, once met, will cause initiation of the communication of the message	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim</p>	
41. The method of claim 24, wherein the vehicle has a scheduled route of a plurality of vehicle stops and wherein the communication of the message is initiated based upon the vehicle's progress along the stops of the route.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
46. The method of claim 24 wherein the message indicates that the vehicle is delayed and thus will not arrive at a predetermined scheduled arrival time	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
47. A method for notifying a user in advance of an impending arrival of a vehicle at a vehicle stop, the method implemented by an automated notification system, the method comprising the steps of:	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>Arrival Star points out that this claim covers a method comprising a specific set of actions. No physical structures are claimed herein. Since physical structural limitations necessarily relate only to unclaimed physical structures employed to carry out the claimed method, and not to the claimed steps for performing the method, Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows:</p> <p><i>method</i> means a way, technique, or process of or for doing something.</p> <p><i>notifying</i> means a signal from an</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>automated notification system</i> means a system for supplying an announcement of the time and location of an impending arrival requiring no human intervention.</p> <p><i>impending arrival</i> means a stop at a final destination about to occur in the near future.</p> <p><i>notifying</i> means supplying an announcement containing the time and geographic location of.</p>

	<p>operating system signifying that an event has occurred.</p> <p><i>user</i> means one that uses</p> <p><i>in advance</i> means making, sending, or furnishing ahead of time.</p> <p><i>impending</i> means to be about to occur</p> <p><i>arrival</i> means to reach a destination</p> <p><i>vehicle</i> means a device or structure for transporting persons or things</p> <p><i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey.</p> <p><i>implemented</i> means carried out</p> <p><i>automated</i> means operating automatically</p> <p><i>notification</i> means a signal from an operating system that an event has or is about to occur.</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p>	
monitoring travel data corresponding to a vehicle at a computer system; and	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p><i>monitoring</i> – observing, supervising, keeping track of</p> <p><i>travel</i> – movement or passage from one place to another</p> <p><i>data</i> - commonly used to refer to information</p> <p><i>monitoring travel data</i> – observing, supervising or keeping track of the information related to the movement or passage from one place to another</p>	<p><i>monitoring travel data</i> means recording and keeping track of information related to movement.</p>

based upon the travel data and in advance of the vehicle's arrival at the vehicle stop, communicating a message from the computer system to a remote general-purpose computer-based communications device associated with the user and that is remote from the vehicle stop to indicate impending arrival of the vehicle at the vehicle stop, the general-purpose computer-based communications device being designed to communicate with other communications devices that are undedicated to the computer system.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p> <p><i>General purpose computer</i> – a computer designed to solve a wide class of problems.</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>based upon</i> means having as a basis for, established</p>	<i>based upon</i> means supported by and founded exclusively on
48. The method of claim 47, wherein the message is communicated over the Internet to the communications device.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
49. The method of claim 48, wherein the message is an email that is communicated, at least in part, over the Internet.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
50. The method of claim 47, further comprising the steps of receiving an email address, storing the email address, and communicating the message to the stored email address.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
51. The method of claim 47, wherein the travel data comprises scheduled stop information.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
57. The method of claim 47, wherein the vehicle is a plane, train, boat, or motor vehicle.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>The patent uses the terms of these claim limitations in accordance with the plain and ordinary meaning.</p>	
58. The method of claim 47, wherein the communications device is a computer, television, pager, or telephone.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>The patent uses the terms of these claim limitations in accordance with the plain and ordinary meaning.</p>	
59. The method of claim 47, wherein the computer system is a single computer or comprises a distributed architecture comprising a plurality of computers that are communicatively coupled.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
60. The method of claim 47, wherein the message comprises a description of travel status of the vehicle.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>	
61. The method of claim 47, wherein the message comprises an audible sound.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p>	

	Terms defined above have the same meaning in this claim.
62. The method of claim 47, wherein the message comprises text or an image for display on a screen associated with the communications device.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>
69. The method of claim 47 wherein the message indicates that the vehicle is delayed and thus will not arrive at a predetermined scheduled arrival time.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p>Terms defined above have the same meaning in this claim.</p>

The '891 Patent	Arrival Star's Proposed Claim Construction	Northwest's Proposed Claim Construction
18. An advance notification method, comprising the steps of:	<i>The parties agree that this is general preamble language, which does not breathe life into the claim. Accordingly, this language is not a claim limitation.</i>	
establishing communication with a remote communication device associated with a user;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Establishing</i> means to bring into existence <i>Remote</i> means not in the immediate vicinity and accessible through some type of cable or communications link <i>Device</i> means a mechanism or piece of equipment designed to serve a purpose or perform a function	
receiving data from said user communication device;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>receiving</i> means to come into possession of <i>data</i> means information.	
identifying a notification time period based on said data;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Identifying</i> means to establish the identity of <i>notification time period</i> means a time period fixed in advance for notification. <i>notification</i> means a signal from an operating system that an event has or is about to occur. <i>time</i> means the measured or measurable period during which an action, process, or condition exists or continues <i>period</i> means a portion of time	
monitoring travel of a vehicle in relation to a vehicle stop;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>monitoring</i> means observing, supervising or keeping track of <i>travel</i> means movement or passage from one place to another <i>vehicle stop</i> means a place at which a vehicle interrupts its course or journey. <i>monitoring travel of a vehicle in relation to a vehicle stop</i> means observing, supervising or keeping track of the movement of a vehicle using a known stopping point as a reference	
determining, based on said monitoring step, whether said vehicle is within said notification time period from said vehicle stop; and	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>determining</i> means to establish or ascertain definitely	
establishing communication with said remote communication device or another remote communication device associated with said user when said vehicle is within said preset	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Establishing</i> means to bring into existence	

notification time period from said vehicle stop	<p><i>Communications</i> means transmissions, exchanges of messages or information by signals from one point to another.</p> <p><i>establishing communication</i> means bringing transmissions, exchanges of messages or information by signals from one point to another.</p>
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The '859 Patent	Arrival Star's Proposed Claim Construction	Northwest's Proposed Claim Construction
<p>1. A system for monitoring vehicle travel and for reporting vehicle status information, comprising:</p>	<p><i>The parties disagree as to whether this is general preamble language, and, as a result, should or should not be construed as a claim limitation.</i></p> <p>Arrival Star maintains that this language does not breathe life into the claim and is therefore not a claim limitation.</p> <p>In the alternative, should the Court construe this as a limitation, the language of the preamble should be construed as follows:</p> <p>These terms should be given their plan and ordinary meaning.</p> <p><i>system</i> means a group of interacting, interrelated, or interdependent elements forming a complex whole such as a group of mechanical or electrical components.</p> <p><i>monitor</i> means observing, supervising or keeping track of</p> <p><i>vehicle</i> means a device or structure for transporting persons or things</p> <p><i>travel</i> means movement or passage from one place to another</p> <p><i>reporting</i> means to give an account of.</p> <p><i>Status</i> means the condition at a particular time used to report on or control operations</p> <p><i>information</i> means knowledge of a specific event or situation</p>	<p>Northwest maintains that the preamble language recites <i>positive structural limitations</i> and is necessary to breathe life, meaning, and vitality to the claim.</p> <p><i>monitoring vehicle travel</i> means recording and keeping track of information related to movement of a public conveyance.</p> <p>See "monitoring" and "travel" above.</p> <p><i>reporting status information</i> means delivering informational messages including geographic positions and time data.</p>

<p>a storage mechanism configured to store travel data transmitted from communications devices associated with vehicles being monitored by said system;</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Configured</i> means to assemble a selection of hardware or software into a system and to adjust each of the parts so that they all work together.</p> <p><i>Store</i> means placing data into a device in which it can be retained and from which it can be retrieved</p> <p><i>travel</i> means movement or passage from one place to another</p> <p><i>data</i> means information</p> <p><i>transmission</i> means the sending of data from one location and the receiving of data in another location</p> <p><i>monitor</i> means observing, supervising or keeping track of.</p> <p><i>vehicle</i> – device or structure for transporting persons or things</p>		
	<table border="1"> <tr> <td data-bbox="618 709 1008 1205"> <p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>storage</i> means the act of storing goods or the state of being stored; the part of a computer that stores information for subsequent use or retrieval.</p> <p><i>mechanism</i> means a system of parts that operate or interact like those of a machine; an instrument or a process, physical or mental, by which something is done or comes into being.</p> </td><td data-bbox="1008 709 1395 1205"> <p><i>storage mechanism</i> means a device capable of receiving and interpreting transmitted communication signals as well as storing data for subsequent retrieval.</p> </td></tr> </table>	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>storage</i> means the act of storing goods or the state of being stored; the part of a computer that stores information for subsequent use or retrieval.</p> <p><i>mechanism</i> means a system of parts that operate or interact like those of a machine; an instrument or a process, physical or mental, by which something is done or comes into being.</p>	<p><i>storage mechanism</i> means a device capable of receiving and interpreting transmitted communication signals as well as storing data for subsequent retrieval.</p>
<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>storage</i> means the act of storing goods or the state of being stored; the part of a computer that stores information for subsequent use or retrieval.</p> <p><i>mechanism</i> means a system of parts that operate or interact like those of a machine; an instrument or a process, physical or mental, by which something is done or comes into being.</p>	<p><i>storage mechanism</i> means a device capable of receiving and interpreting transmitted communication signals as well as storing data for subsequent retrieval.</p>		
<p>a data manager configured to receive a request transmitted by a user, said request including information sufficient for identifying one of said vehicles, said data manager further configured to retrieve travel data associated with said one vehicle from said storage mechanism in response to said request; and</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Receive</i> means to take or acquire something; get; to hear or see.</p> <p><i>request</i> means something asked for</p> <p><i>Transmitted</i> means having sent data from one location and the receiving of data in another location</p> <p><i>User</i> means one that uses</p> <p><i>information</i> means knowledge of a specific event or situation</p> <p><i>Retrieve</i> means to get and bring back; to recover (as information) from storage</p> <p><i>travel</i> means movement or passage from one place to another</p>		

	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>data</i> means information</p> <p><i>Manager</i> means any program that is designed to perform a certain set of tasks related to computer operation.</p>	<p><i>data manager</i> means a controlling software routine capable of receiving and transmitting messages from communications devices and accessing and analyzing stored data.</p>
a first communications device configured to transmit a message to a second communications device, said second communications device located remotely from said first communications device and associated with said user, said message based on said travel data from said user retrieved by said data manager and indicative of a proximity of said one vehicle from a particular location.	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Message</i> means any notice, word, or communication in which exchange of information takes place</p> <p><i>Located</i> means placed at a certain location; situated</p> <p><i>Remotely</i> means not in the immediate vicinity and accessible through some type of cable or communications link</p> <p><i>particular</i> means of, belonging to, or associated with a specific person, group, thing, or category</p> <p><i>location</i> means a particular, separate position or site occupied or available for occupancy or marked by some distinguishing feature</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>indicative</i> means serving to indicate (indicate – to show the way to or the direction of; point out)</p> <p><i>Proximity</i> means the state, quality, sense, or fact of being near or next; closeness.</p> <p><i>indicative of a proximity</i> means serving to indicate the state or quality of closeness of a thing.</p>	<p><i>Indicative of a proximity</i> means denoting a geographical distance from a specific location.</p>

The '060 Patent	Arrival Star's Proposed Claim Construction	Northwest's Proposed Claim Construction
9. A system for notifying users of impending arrivals of vehicles at particular locations, comprising:	<i>The parties agree that this is general preamble language, which does not breathe life into the claim. Accordingly, this language is not a claim limitation.</i>	
a database storing data associated with a plurality of vehicles;	<i>The parties have agreed to the following construction:</i> <i>database</i> means a collection of data containing related fields and records	
	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Store</i> means placing data into a device in which it can be retained and from which it can be retrieved <i>data</i> means information <i>vehicle</i> means a device or structure for transporting persons or things <i>data associated with a plurality of vehicles</i> means information relating to more than one device or structure for transporting persons or things.	
a route handler configured to analyze said data and to select portions of said data that are associated with notification events expected to occur during a particular time period;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>Configured</i> means to assemble a selection of hardware or software into a system and to adjust each of the parts so that they all work together <i>analyze said data</i> means to compare notification times to the particular time period <i>select portions of said data</i> means to build a list <i>particular</i> means of, belonging to, or associated with a specific person, group, thing, or category <i>period</i> means a portion of time <i>particular time period</i> means a specific portion of time	
	<i>The parties disagree as to the following term/phrase(s):</i> These terms should be given their plan and ordinary meaning <i>route handler</i> a device that queries the database and builds a list of the notification events included in master computer system, part of the base station control unit; can be implemented in hardware, software, or a combination, as implemented in software and stored in memory <i>notification</i> means a signal from an operating system that an event has or is about to occur.	<i>route handler</i> means a hardware device capable of cellular network communication and accessing and analyzing stored data relating to established courses of travel.

<p>a schedule monitor configured to analyze said selected portions of said data during said particular time period and to disregard other portions of said data during said particular time period, said schedule monitor further configured to determine when at least one of said notification events should occur based on said selected portions of said data and to transmit a notification request in response to a determination by said schedule monitor that said at least one notification event should occur; and</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Configured</i> – to assemble a selection of hardware or software into a system and to adjust each of the parts so that they all work together</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>schedule monitor</i> is included in master computer system, part of the base station control unit and can be implemented in hardware, software, or a combination, as implemented in software and stored in memory; it determines when a user should receive a notification message and transmits notification requests to the communications handler</p>	<p><i>schedule monitor</i> means a hardware device capable of cellular network communication and accessing and analyzing complete timetables of intended travel including geographic position and time data.</p>
<p>a communication handler configured to receive said notification request and to transmit a notification message in response to said notification request.</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Configured</i> – to assemble a selection of hardware or software into a system and to adjust each of the parts so that they all work together.</p>	
	<p><i>The parties disagree as to the following term/phrase(s):</i></p> <p>These terms should be given their plan and ordinary meaning</p> <p><i>communication handler</i> may be implemented in software, hardware, or a combination, for example implemented in software and stored in memory for assisting with the communication of notification messages to the user</p>	<p><i>communication handler</i> means a hardware device with internal storage capable of cellular network and direct user communication.</p>
<p>19. A method for notifying users of impending arrivals of vehicles at particular locations, comprising the steps of:</p>	<p><i>The parties agree that this is general preamble language, which does not breathe life into the claim. Accordingly, this language is not a claim limitation.</i></p>	
<p>storing data associated with a plurality of vehicles;</p>	<p><i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i></p> <p><i>Store</i> means placing data into a device in which it can be retained and from which it can be retrieved</p> <p><i>data</i> means information</p>	

	<i>storing data</i> means placing information into a device where it can be retained and later retrieved
selecting portions of said data that are associated with notification events expected to occur during a particular time period;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> <i>data</i> means information
analyzing said selected portions of said data during said particular time period;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> The patent uses the terms of these claim limitations in accordance with the plain and ordinary meaning.
disregarding other portions of said data during said particular time period;	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> The patent uses the terms of these claim limitations in accordance with the plain and ordinary meaning.
determining when at least one of said notification events should occur based on said analyzing step; and	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> The patent uses the terms of these claim limitations in accordance with the plain and ordinary meaning.
transmitting a notification message in response to said determining step.	<i>The parties agree that the following claim terms are common and should be given their plain and ordinary meaning:</i> The patent uses the terms of these claim limitations in accordance with the plain and ordinary meaning.

Evidence and Support

I. Arrival Star's Evidence and Support

Arrival Star relies on the intrinsic evidence of each patent construed herein, as well as the complete file wrappers to each patent. In addition, Arrival Star relies on the following treatises:

Merriam Webster Online Dictionary

Newton's Telecom Dictionary, 16th ed. (2000)

The American Heritage Dictionary of the English Language, 4th ed. (2000)

Webster's Revised Unabridged Dictionary (1996, 1998)

Dictionary of Computer and Internet Terms 7th ed. (2000)

WordNet 1.6 (1997)

Microsoft Computer Dictionary, 5th ed. (2002)

IEEE 100: The Authoritative Dictionary of IEEE Standards Terms 7th ed. (2000)

Webster's New World Computer Dictionary, 9th ed. (2001)

Dictionary of Electronics, 3rd ed. (1998)

Webster's New World Dictionary of Computer Terms, 3rd ed. (1988)

The American Heritage College Dictionary, 4th ed. (2002)

II. Northwest Airlines, Inc.'s Evidence and Support

Northwest Airlines, Inc. relies on the intrinsic evidence of each patent construed herein, as well as the complete file wrappers to each patent. In addition, Northwest Airlines, Inc. identifies the following extrinsic evidence upon which it may rely to support its claim construction positions:

- a. Merriam-Webster's Unabridged Dictionary (2000)
- b. Merriam-Webster's Online Dictionary (www.m-w.com)
- c. Microsoft Computer Dictionary (5th ed. 2002)
- d. IEEE Standard Dictionary of Electrical and Electronics Terms (1996)
- e. The Authoritative Dictionary of IEEE Standard Terms 523 (7th ed. 2000)
- f. The American Heritage® Dictionary of the English Language, (Fourth Edition 2000)
- g. Cambridge Dictionary of American English (1999)
- h. Modern Dictionary of Electronics (Rudolf F. Graf, 7th ed. 1999)